

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

Cheryl Besser, individually and on behalf  
of all others similarly situated;

Plaintiff,

v.

Talmer Bank and Trust,

Defendant.

Case No. 2:13-cv-11559-BAF-DRG

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**STIPULATION AND ORDER OF DISMISSAL**

Plaintiff Cheryl Besser (“Plaintiff”), and Defendant Talmer Bank and Trust (“Defendant”), by and through their undersigned counsel and pursuant to Fed. R. Civ. P. 41(a)(1)(A) and Fed. R. Civ. P. 23(e), hereby stipulate to the dismissal of this action, with prejudice as to Plaintiff’s individual claims, and without prejudice as to the claims of any alleged class members, and without costs or attorneys’ fees to either party. No class has been certified in this action. Accordingly, class notice and Court approval of the settlement are not required under Fed R. Civ. P. 23(e).

The parties request that the Court retain jurisdiction to interpret and enforce the terms of the Stipulation and Settlement Agreement entered into by the parties.

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ORDER

IT IS HEREBY ORDERED that Plaintiff's individual claims are dismissed with prejudice, and without costs or attorneys' fees to either party, and the claims of any alleged class members are dismissed without prejudice; and

IT IS HEREBY FURTHER ORDERED THAT this Court will retain jurisdiction to interpret and enforce the terms of the Stipulation and Settlement Agreement entered into by the parties.

September 26, 2013

/s/ Bernard A. Friedman  
U.S. District Court Judge